

**AN ORDINANCE  
BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X, THE PROCUREMENT AND REAL ESTATE CODE, AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO RATIFY THE PRIOR PROVISION OF LEASED EQUIPMENT UNDER THE MASTER LEASE AGREEMENT WITH DELL MARKETING, L.L.P AND TO REMIT PAYMENT FOR THE LEASE OF 140 DELL OPTIPLEX COMPUTERS AND 15 DELL LATITUDE LAPTOP COMPUTERS ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND, FIVE HUNDRED SIXTY-EIGHT DOLLARS AND FORTY-THREE CENTS (\$74,568.43) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5223202 (OPERATING LEASE/RENTAL EQUIPMENT) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEMS).**

**WHEREAS**, the City of Atlanta ("City") executed an equipment lease agreement with Dell Marketing, L.P. for 800 desktop computers for a three (3) year period in an amount not to exceed Three Hundred Fifty-Five Thousand, One Hundred Thirty-Two Dollars and Twenty-Seven Cents (\$355,132.27) pursuant to Resolution 07-R-1514 adopted by council August 20, 2007 and approved by the Mayor August 28, 2007; and

**WHEREAS**, the City ordered 150 additional desktop computers and 15 laptop computers bringing the total amount of the lease to Four Hundred Twenty-Nine Thousand, Seven Hundred Dollars and Seventy Cents (\$429,700.70) per year which required additional legislation; and

**WHEREAS**, the City made payment in the amount Four Hundred Twenty-Nine Thousand, Seven Hundred Dollars and Seventy Cents (\$429,700.70) for the first two years of the lease, Seventy-Four Thousand, Five Hundred Sixty-Eight Dollars and Forty-Three Cents (\$74,568.43) more than the payment authorized by Resolution 07-R-1514; and

**WHEREAS**, payment in the amount of Seventy-Four Thousand, Five Hundred Sixty-Eight Dollars and Forty-Three Cents (\$74,568.43) for the final year of the lease is now past due; and

**WHEREAS**, the City further desires to ratify the prior provision of the leased equipment by Dell Marketing, L.L.P ("Dell") and authorize payment to Dell for the final year of the lease in an amount not to exceed Seventy-Four Thousand, Five Hundred Sixty-Eight Dollars and Forty-Three Cents (\$74,568.43), to be charged to and paid from FDOA Number 1001 (General Fund) 050212 (IT Server Management) 5223202 (Operating Lease/Rental Equipment) 1535000 (Data Processing/Management Information Systems).

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:**

**SECTION 1:** That Chapter 2, Article x of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such prohibits payment for goods and services rendered by Dell to the City, and that the City's actions in accepting services provided by Dell for the lease of desktop and laptop computers, are ratified and confirmed.

**SECTION 2:** That the Mayor is authorized to execute an agreement for a term of three (3) years with Dell, for the lease of 150 desktop computers and 15 laptop computers with an effective date of September 27, 2007 in an annual amount not to exceed Seventy-Four Thousand, Five Hundred Sixty-Eight Dollars and Forty-Three Cents (\$74,568.43), to be charged to and paid from FDOA Number 1001 (General Fund) 050212 (IT Server Management) 5223202 (Operating Lease/Rental Equipment) 1535000 (Data Processing/Management Information Systems).

**SECTION 3:** That the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate documents for execution by the Mayor or her designee.

**SECTION 4:** That the Agreement will not become binding upon the City and the City will incur no liability under it until it has been executed by the Mayor or his designee, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to the contracted parties.

DELL GOVERNMENT FINANCE  
11030 Circle Point Road, 2nd Floor  
Westminster, CO 80020

CUSTOMER INVOICE# 12959642B  
Lease# 38508  
Invoice Date: 11/1/2009  
Due Date: 12/1/2009  
Payment Due: 74,568.43

CITY OF ATLANTA  
55 TRINITY AVE, STE G 700  
ATLANTA, GA 30303  
ATTN: TONI BOOTH COMER

LEASE #	DUE DATE	INVOICE #	DESCRIPTION	AMOUNT	TAX	TOTAL
38508	12/01/09	12959642B	RENTAL PAYMENT (PARTIAL) 140 DELL OPTIPLEX COMPUTERS 15 DELL LATITUDE ATGD 630	74,568.43		74,568.43
PAYMENT DUE						74,568.43
TOTAL PRIOR BALANCE AS OF BILLING						-
TOTAL PAYMENT DUE						74,568.43

Please return this portion with your check in the envelope provided

CITY OF ATLANTA  
55 TRINITY AVE, STE G 700  
ATLANTA, GA 30303  
ATTN: TONI BOOTH COMER

Remit To:

DELL GOVERNMENT LEASING AND FINANCE PROGRAM III  
PO BOX 74238  
CLEVELAND, OH 44194

CUSTOMER INVOICE# 12959642B  
Lease# 38508  
Due Date: 12/1/2009  
Payment Due: 74,568.43

PLEASE WRITE AMOUNT ENCLOSED

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## **Legislation Summary**

**Committee of Purview:**

**Caption**

**An ordinance authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Information Technology with Dell Marketing, L.L.P in an amount not to exceed seventy four thousand five hundred sixty eight dollars and forty three cents (\$74,568.43). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050212 (IT Server Management), 5223202 (Operating Lease/Rental Equipment), 1535000 (Data Processing/Management Information Systems).**

**Council Meeting Date:** March 01, 2010

**Legislation Title:** Ordinance authorizing the Chief Procurement Officer to Remit Payment utilize in Pursuant to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code to Ratify the Prior Provision of Leased Equipment under the Master Lease Agreement with Dell Marketing, L.L.P and to Remit Payment for the Lease of 140 Dell Optiplex Computers and 15 Dell Latitude Laptop Computers on behalf of the Department of Information Technology in an amount not to exceed seventy four thousand five hundred sixty eight dollars and forty three cents (\$74,568.43). All contract work shall be charged to and paid from fund account and center number: 1001 (General Fund), 050212 (IT Server Management), 5223202 (Operating Lease/Rental Equipment), 1535000 (Data Processing/Management Information Systems).

**Requesting Department:** Department of Information Technology

**Contract Type:** N/A

**Source Selection:** Waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code

**Bids/Proposals Due:** N/A

**Invitations Issued:** N/A

<b>Number of Bids/ Proposals Received:</b>	<b>N/A</b>
<b>Bidders/Proponents:</b>	<b>N/A</b>
<b>Justification Statement:</b>	<b>N/A</b>
<b>Background:</b>	<b>N/A</b>
<b>Fund Account Centers:</b>	<b>1001 (General Fund), 050212 (IT Server Management), 5223202 (Operating Lease/Rental Equipment), 1535000 (Data Processing/Management Information Systems).</b>
<b>Source of Funds:</b>	<b>N/A</b>
<b>Fiscal Impact:</b>	<b>N/A</b>
<b>Term of Contract:</b>	<b>N/A</b>
<b>Method of Cost Recovery:</b>	<b>N/A</b>
<b>Approval:</b>	
<b>DOF:</b>	
<b>DOL:</b>	
<b>Prepared By:</b>	<b>Patricia Lowe, Buyer</b>
<b>Contact Number:</b>	<b>404.330.6583</b>

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** FINANCE/EXECUTIVE

**Caption:**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X, THE PROCUREMENT AND REAL ESTATE CODE, AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO RATIFY THE PRIOR PROVISION OF LEASED EQUIPMENT UNDER THE MASTER LEASE AGREEMENT WITH DELL MARKETING, L.L.P AND TO REMIT PAYMENT FOR THE LEASE OF 140 DELL OPTIPLEX COMPUTERS AND 15 DELL LATITUDE LAPTOP COMPUTERS ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND, FIVE HUNDRED SIXTY-EIGHT DOLLARS AND FORTY-THREE CENTS (\$74,568.43) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5223202 (OPERATING LEASE/RENTAL EQUIPMENT) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEMS).**

**Council Meeting Date:** March 1, 2010

**Requesting Dept.:** Information Technology

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

DIT would like to ratify the prior provision of the three (3) year agreement for with Dell, for the lease of 150 desktop computers and 15 laptop computers with an effective date of September 27, 2007 in an annual amount not to exceed Seventy-Four Thousand, Five Hundred Sixty-Eight Dollars and Forty-Three Cents (\$74,568.43), to be charged to and paid from FDOA Number 1001 (General Fund) 050212 (IT Server Management) 5223202 (Operating Lease/Rental Equipment) 1535000 (Data Processing/Management Information Systems). And pay for the final payment.

**2. Please provide background information regarding this legislation.**

The City executed an equipment lease agreement with Dell for 800 desktop computers for a three (3) year period in an amount not to exceed \$355,132.27

pursuant to Resolution 07-R-1514. DIT added 150 additional desktop computers and 15 laptop computers to the order bringing the total amount of the lease to 429,700.70 per year without correcting the legislation. Subsequently the City made payments in the amount of \$429,700.70 for the first two years of the lease, \$74,568.43) more than the payment authorized by 07-R-1514. A payment for \$74,568.43) for the final year of the lease is now past due.

**3. If Applicable/Known:**

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Equipment Lease

(b) **Source Selection:** Waived

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** 3 yrs

4. **Fund Account:** 1001 (General Fund) 050212 (IT Server Management) 5223202  
(Operating Lease/Rental Equipment) 1535000 (Data  
Processing/Management Information Systems).

5. **Source of Funds:**

6. **Fiscal Impact:** \$74,568.43

7. **Method of Cost Recovery:**

**This Legislative Request Form Was Prepared By:** Kathleen Lane, DIT Compliance Analyst

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE BYRD

Dept.'s Legislative Liaison: Kathleen Lane

Contact Number: 404-335-1983

Originating Department: Department of Information Technology

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: January 26, 2010

Anticipated Committee Meeting Date(s): February 10 & 24, 2010

Anticipated Full Council Date: March 1, 2010

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: 

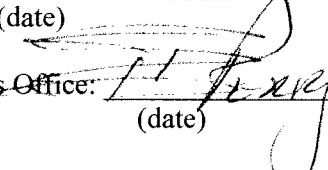
**CAPTION**

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO WAIVE THE APPLICATION OF THE ATLANTA CITY CODE, ARTICLE X, THE PROCUREMENT AND REAL ESTATE CODE, AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO RATIFY THE PRIOR PROVISION OF LEASED EQUIPMENT UNDER THE MASTER LEASE AGREEMENT WITH DELL MARKETING, L.L.P. AND TO REMIT PAYMENT FOR THE LEASE OF 140 DELL OPTIPLEX COMPUTERS AND 15 DELL LATITUDE LAPTOP COMPUTERS ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED SEVENTY-FOUR THOUSAND, FIVE HUNDRED SIXTY-EIGHT DOLLARS AND FORTY-THREE CENTS (\$74,568.43) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 1001 (GENERAL FUND) 050212 (IT SERVER MANAGEMENT) 5223202 (OPERATING LEASE/RENTAL EQUIPMENT) 1535000 (DATA PROCESSING/ MANAGEMENT INFORMATION SYSTEMS).

Mayor's Staff Only  
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Received by CPO: \_\_\_\_\_  
(date)

Received by LC from CPO: \_\_\_\_\_  
(date)

Received by Mayor's Office:   
(date)

Reviewed by:   
(date)

Submitted to Council: \_\_\_\_\_